

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
TRACY MCCARTER,

Plaintiff,

-against-

THE CITY OF NEW YORK, et al.,

Defendants.
-----X

KATHARINE H. PARKER, United States Magistrate Judge:

23-CV-9652 (GHW) (KHP)

SCHEDULING ORDER

The Initial Case Management Conference previously scheduled for Tuesday, January 23, 2024 at 3:00 p.m. is **adjourned sine die**. The parties are excused from completing the Report of Rule 26(f) Meeting and Proposed Case Management Plan. The deadlines set forth in the Southern District of New York's Local Civil Rule 83.10 shall govern this case.

By **January 23, 2024**, the parties shall file a joint status letter that provides an update as to: **(1)** whether and when Plaintiff served the § 160.50 Release and, if applicable, Medical Release, that are required by the Local Rule; **(2)** the exact date the answer is due, according to the parties' calculations¹; **(3)** whether Defendant anticipates moving to dismiss the complaint; **(4)** whether the parties request a settlement conference before me in lieu of referral to the Court-annexed mediation program or whether the parties would prefer a referral to the Court annexed mediation program. Separately, the parties shall file a copy of the Protective Order as contemplated by the Local Rule for the Court to so-order.

¹ According to the Local Rule, the deadline varies depending on whether the § 160.50 Release is served on the City at the time the complaint is first served on a defendant or after such time.

Additionally, in accordance with the Local Rule, within 21 days after the first Defendant files its answer, the parties shall exchange their initial disclosures. Within 28 days after the first Defendant files its answer, the parties must complete production of the discovery items set forth in the Local Rule. Within six weeks after the first Defendant files its answer, Plaintiff must serve a written settlement demand on the City and the City must respond in writing within 14 days thereafter.

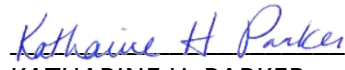
The complaint may be amended to name additional defendants without leave of the Court within six weeks after the first Defendant files its answer. No amendments to the pleadings will be permitted thereafter absent a showing of good cause.

The parties shall follow my Individual Procedures with respect to any discovery disputes. See <https://nysd.uscourts.gov/hon-katharine-h-parker>. Counsel shall comply with Rule 1 and Rule 26(b)(1) in the conduct of discovery.

A case management conference is scheduled for **Thursday, February 29, 2024 at 3:00 p.m.** in Courtroom 17D, United States Courthouse, 500 Pearl Street, New York, New York.

SO ORDERED.

DATED: New York, New York
January 9, 2024


KATHARINE H. PARKER
United States Magistrate Judge